

REMARKS

Claims 17, 37 and 39 are amended, claim 34 is canceled, and no claims are added; as a result, claims 17, 31-33 and 35-41 are now pending in this application.

Applicant has amended claims 17, 37 and 39 to more particularly point out and distinctly claim certain aspects of the present subject matter. Applicant respectfully submits that such amendments are fully supported by various portions of the specification, including ¶ 17, ¶ 24, and figure 3. Applicant submits that no new matter is introduced. Accordingly, Applicant respectfully requests entry of the amendments to claims 17, 37 and 39.

§112 Rejection of the Claims

Claims 37 and 39-41 were rejected under 35 U.S.C. § 112, first paragraph, as lacking adequate description or enablement. Applicant has amended claims 37 and 39 to overcome these rejections. Applicant notes that such amendments were not in response to a prior art rejection of the claims. Applicant submits that no new matter is introduced. Accordingly, Applicant respectfully requests entry of the amendments, and withdrawal of this rejection of the claims.

§102 Rejection of the Claims

1. Claims 17, 37 and 39 were rejected under 35 U.S.C. § 102(e) for anticipation by Tomoeda et al. (U.S. 5,626,913).

Claim 17, as now amended and in part, recites, “*while rotating said surface*, spraying said material in a single spraying movement from said nozzle while moving said nozzle in a single direction from the first point to a second point of said circumference (italics added).” Applicant cannot find in Tomoeda et al. any disclosure, teaching, or suggestion of, while rotating said surface, spraying said material in a single spraying movement from said nozzle while moving said nozzle in a single direction from the first point to a second point of said circumference, as recited in claim 17. Instead, Tomoeda et al. apparently supplies a developing solution on a substrate in more than one direction and then rotates a spin chuck to scatter the developing solution after the developing solution has been fully supplied on the substrate. Thus, Tomoeda et al. fails to disclose, teach, or suggest, while rotating said surface, spraying said material in a

single spraying movement from said nozzle while moving said nozzle in a single direction from the first point to a second point of said circumference, as recited in claim 17.

Claim 39, as now amended and in part, recites, “*while rotating the wafer*, beginning a single spraying movement of the wafer-coating material from the nozzle at a first point on a diameter of the wafer at the edge of the wafer surface(italics added).” Applicant cannot find in Tomoeda et al. any disclosure, teaching, or suggestion of, while rotating the wafer, beginning a single spraying movement of the wafer-coating material from the nozzle at a first point on a diameter of the wafer at the edge of the wafer surface, as recited in claim 39. Instead, Tomoeda et al. apparently supplies a developing solution on a substrate in more than one direction and then rotates a spin chuck to scatter the developing solution after the developing solution has been fully supplied on the substrate. (*See FIG. 18A-E.*) Thus, Tomoeda et al. fails to disclose, teach, or suggest, while rotating the wafer, beginning a single spraying movement of the wafer-coating material from the nozzle at a first point on a diameter of the wafer at the edge of the wafer surface, as recited in claim 39.

Because all elements of claims 17 and 39 are not disclosed, taught, or suggested in the cited portions of Tomoeda et al., Applicant respectfully submits that no *prima facie* case of anticipation presently exists with respect to these claims. Accordingly, Applicant respectfully requests withdrawal of this rejection of claims 17 and 39.

With respect to claim 37, the Office Action states, “it is known that developer solution comprises organic solvent.” The Office Action does not state that it is taking official notice of such element of the claims, nevertheless, Applicant respectfully traverses this assertion and requests that the Examiner provide a reference that describes such an element. Absent a reference, it appears that the Examiner is using personal knowledge, so the Examiner is respectfully requested to submit an affidavit as required by 37 C.F.R. § 1.104(d)(2).

Separately, Applicant respectfully submits that claim 37 includes patentable subject matter beyond that recited in its respective base claim, and Applicant reserves the right to later present further remarks concerning such dependent claim.

2. Claim 39 was rejected under 35 U.S.C. § 102(b) for anticipation by Sakawaki (U.S. 4,267,212).

Claim 39, as now amended and in part, recites, “positioning the nozzle generally over the edge prior to spraying; [and] while rotating the wafer, beginning a single spraying movement of the wafer-coating material from the nozzle at a first point on a diameter of the wafer at the edge of the wafer surface.” Applicant cannot find in Sakawaki any disclosure, teaching, or suggestion of positioning the nozzle generally over the edge prior to spraying, and while rotating the wafer, beginning a single spraying movement of the wafer-coating material from the nozzle at a first point on a diameter of the wafer at the edge of the wafer surface, as recited in claim 39. Instead, Sakawaki apparently positions a nozzle above the center of rotation of the substrate and supplies a coating solution towards the periphery of the substrate. (*See* col. 4, lines 9-12, and FIG. 4.) Thus, Sakawaki fails to disclose, teach, or suggest positioning the nozzle generally over the edge prior to spraying, and while rotating the wafer, beginning a single spraying movement of the wafer-coating material from the nozzle at a first point on a diameter of the wafer at the edge of the wafer surface, as recited in claim 39.

Because all elements of claim 39 are not disclosed, taught, or suggested in the cited portions of Sakawaki, Applicant respectfully submits that no *prima facie* case of anticipation presently exists with respect to this claim. Accordingly, Applicant respectfully requests withdrawal of this rejection of claim 39.

3. Claims 17, 34 and 39 were rejected under 35 U.S.C. § 102(e) for anticipation by Samuels (U.S. 4,457,259). Claim 34 has been cancelled, thereby mooting this ground of rejection for claim 34.

Claim 17, as now amended and in part, recites, “while rotating said surface, spraying said material *in a single spraying movement* from said nozzle while moving said nozzle in a single direction from the first point to a second point of said circumference (*italics added*).” Applicant cannot find in Samuels any disclosure, teaching, or suggestion of, while rotating said surface, spraying said material in a single spraying movement from said nozzle while moving said nozzle in a single direction from the first point to a second point of said circumference, as recited in claim 17. Instead, Samuels apparently discloses dispensing liquid onto a spinning surface in a

reciprocating diametric path over the wafer surface. (*See* col. 1, lines 31-34.) Thus, Samuels fails to disclose, teach, or suggest, while rotating said surface, spraying said material in a single spraying movement from said nozzle while moving said nozzle in a single direction from the first point to a second point of said circumference, as recited in claim 17.

Claim 39, as now amended and in part, recites, “while rotating the wafer, beginning *a single spraying movement* of the wafer-coating material from the nozzle at a first point on a diameter of the wafer at the edge of the wafer surface(italics added).” Applicant cannot find in Samuels any disclosure, teaching, or suggestion of, while rotating the wafer, beginning a single spraying movement of the wafer-coating material from the nozzle at a first point on a diameter of the wafer at the edge of the wafer surface, as recited in claim 39. Instead, Samuels apparently discloses dispensing liquid onto a spinning surface in a reciprocating diametric path over the wafer surface. (*See* col. 1, lines 31-34.) Thus, Samuels fails to disclose, teach, or suggest, while rotating said surface, spraying said material in a single spraying movement from said nozzle while moving said nozzle in a single direction from the first point to a second point of said circumference, as recited in claim 39.

Because all elements of claims 17 and 39 are not disclosed, taught, or suggested in the cited portions of Samuel, Applicant respectfully submits that no *prima facie* case of anticipation presently exists with respect to these claims. Accordingly, Applicant respectfully requests withdrawal of this rejection of claims 17 and 39.

§103 Rejection of the Claims

4. Claims 31-33, 35-36, 38 and 40-41 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tomoeda et al. (U.S. 5,626,913). Claims 40-41 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sakawaki (U.S. 4,267,212). Claims 31-33, 35-38 and 40-41 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Samuels (U.S. 4,457,259).

With respect to defendant claims 31-33, 35-38 and 40-41, Applicant respectfully submits that such claims include patentable subject matter beyond that recited in their respective base claims, and Applicant reserves the right to later present further remarks concerning such dependent claims.

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.116 – EXPEDITED PROCEDURE

Page 9

Serial Number: 10/656,745

Dkt: 303.936US5

Filing Date: September 5, 2003

Title: METHOD AND APPARATUS FOR COATING A WAFER

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 349-9587 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

ROBERT WILLIAM COURtenay

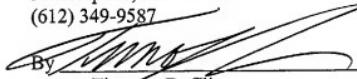
By his Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 349-9587

Date

12 July '06

By


Timothy B. Clise
Reg. No. 40,957

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 12 day of July, 2006.

Name

Kate Cannon

Signature

Kate G